

REMARKS

1. It should be appreciated that Applicant has elected to amend Claims 1-4, 9, 11, 17-19, and 23-25 solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

35 U.S.C. § 102

2. Claims 1-4, 7, 9-15 and 23-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Krane.

Claim 1:

To distinguish the claimed invention from the cited reference more thoroughly, Applicant amends claim 1 to describe:

"A method of funneling user responses in a voice portal system to determine a desired item or service, the method comprising:

- a) querying a user for an attribute value associated with a first particular attribute of the desired item or service; and
- (b) determining if the attribute value given by the user satisfies an end state, an end state comprising a point at which the item or service is found, wherein if the end state is not satisfied, performing steps (a) and (b) by said voice portal with a further attribute of the item or service sought."

Support for amended step A of claim 1 is found in original claim 3, at block 3440 of Fig. 34 and at page 42, line 25 to line 27 of the specification.

Support for amended step B is found at blocks 3450 and 3455 of Fig. 34, and at page 42, line 27 to page 43, line 6. Further support for amended claim 1 is found at page 43, line 7 to line 27 of the specification.

Amended claim 1 is patentable over Krane because Krane fails to teach:

"A method of funneling user responses in a voice portal system to determine a desired item or service . . ." Straightaway, claim 1 is patentable over Krane because Krane is not directed to locating desired items or services. Rather, as stated at Col. 3, line 10 to line 13, "It is a primary object of the invention to provide a communication system and telephone access to pre-recorded audio messages stored on web site server . . ." The claimed invention is unconcerned with pre-recorded audio messages. Rather the claimed invention seeks to elicit information from the user with which to locate desired items and services.

Amended claim 1 is further patentable over Krane because Krane fails to teach

"querying a user for an attribute value associated with a first particular attribute of the desired item or service . . ." As described in Krane at col. 3, line 43 to line 56, Krane includes an index 100. The index passively receives an access request from the user for web page containing an audio file. At Col. 5, line 39 to line 51, Krane passively awaits a user selection from a scrolling menu of choices. Accordingly, amended claim 1 is patentable over Krane because Krane fails to teach "querying a user for an attribute value associated with a first particular attribute of the desired item or service . . ."

Amended claim 1 is further patentable over Krane because Krane fails to teach: "determining if the attribute value given by the user satisfies an end state, an end state comprising a point at which the item or service is found, wherein if the end state is not satisfied, performing steps (a) and (b) by said voice portal with a further attribute of the item or service sought . . ."

As described at col. 3, line 43 to line 56 of Krane, Krane is incapable of determining and end state. If the user supplies an invalid access name, the Index aborts the request. As described at col. 5, line 39 to line 51, Krane mechanically presents the user with a scrolling menu of unrelated categories. The system then passively accepts the user's choice and terminates the scrolling menu. Krane then presents the user with a menu of choices for the domain selected. There is no indication that Krane provides the capability of querying the user, evaluating the response provided to see if it is sufficient to locate the item or service, and iteratively seeking more information about the item or service sought, until it can be located. Accordingly, amended claim 1 is patentable over Krane because Krane fails to teach "determining if the attribute value given by the user satisfies an end state, an end state comprising a point at which the item or service is found, wherein if the end state is not satisfied, performing steps (a) and (b) by said voice portal with a further attribute of the item or service sought . . ." Because Krane fails to teach either of steps a or b from amended claim 1, claim is patentable over Krane.

Claims 9, 17 and 23:

Claims 9, 17 and 23 have been amended in similar fashion to claims 1. The discussion of claim 1 with respect to Krane is equally applicable to claims 9, 17 and 23. For the same reasons, claims 9, 17 and 23 are patentable over Krane.

Claims 2, 19 and 24:

Claims 2, 19 and 24 have been amended to harmonize them with their parents. Applicant certifies that no new matter was added by way of the amendments.

Claims 3, 11 and 18:

Claims 3, 11 and 18 contain the newly added element:

"prompting the user to supply an attribute value associated with the first particular attribute . . ." Support for the amendment is found at page 42, line 26 to line 27. Applicant certifies that no new matter was added by way of the amendment. Claims 3, 11 and 18 have been otherwise amended to harmonize them with their parent claims.

The remaining dependent claims:

Even without considering any individual merits of the remaining dependent claims, these claims are distinguished from the cited reference because they depend from independent claims that are distinguished as discussed above. MPEP 2143.03.

3. 35 U.S.C. § 103(a)

Claims 5, 6 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Krane in view of Hoshen. Claims 5, 6 and 22 are patentable over the combination of Krane and Hoshen because, as described above, the combination fails to teach all elements of claims 5, 6 and 22.

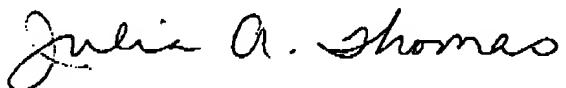
Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Krane in view of Uppaluru. Claim 8 is patentable over the combination of Krane and Uppaluru because, as described above, the combination fails to teach all elements of claim 8.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Krane in view of Gershman. Claim 16 is patentable over the combination of Krane and Gershman. because, as described above, the combination fails to teach all elements of claim 16.

CONCLUSION

For the foregoing reasons, the claims in the present application are patentably distinguished over the cited references. Accordingly, all claims should be allowed without delay. Should the Examiner have any questions concerning the Application, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,



Julia A. Thomas

Reg. No. 52,283

Customer No. 22862